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U.S. DISTRICT COURT
DISTRICT OF MASS.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

* * * * *
NORTH AMERICAN INDUSTRIES, INC * Case No.: 05-10333-MLW
Plaintiff, *
v. *
CALIBER ONE INDEMNITY COMPANY *
PMA CAPITAL INSURANCE COMPANY *
SUCCESSOR TO CALIBER ONE *
INDEMNITY COMPANY *
Defendants. * APRIL 27, 2005
* * * * *

STIPULATION OF DISMISSAL WITH PREJUDICE

The Plaintiff, North American Industries, Inc., ("NAI") and the Defendant, Caliber One Indemnity Company, ("Caliber One") hereby stipulate and move the Court for the entry of an order dismissing the above captioned action with prejudice.

The parties hereby represent to the Court that, after discussions of the parties on their own and with the advice of counsel, have completely resolved the controversy raised by this legal action. There being no further need for this action to continue pending, the parties hereby request that the Court

dismiss this action with prejudice.

Dated at Boston, Massachusetts this 5th day of May, 2005.

RESPECTFULLY, PLAINTIFF, NORTH AMERICAN INDUSTRIES, INC.

BY

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and DEFENDANT, CALIBER ONE INDEMNITY COMPANY

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CERTIFICATE OF SERVICE

I, Richard B. Kirby, Attorney for the Defendant, Caliber One Indemnity Company, on this 5th day of May 2005 certify that I have served a true copy of the foregoing document upon each other party by first class mail postage prepaid.

Richard B. Kirby
Richard B. Kirby